



## COUNTY OF SAN BERNARDINO POLICY MANUAL

No. 15-02

ISSUE

PAGE 1 OF 2

By

EFFECTIVE 4/10/01

### SUBJECT

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM  
FOR CONTRACTS INVOLVING FEDERAL FUNDS

### APPROVED

***Fred Aquiar***

CHAIRMAN, BOARD OF SUPERVISORS

### POLICY STATEMENT

It is the policy of the Board of Supervisors to encourage the participation of Disadvantaged Business Enterprises (DBEs) in County projects, which receive federal transportation funds. Disadvantaged Business Enterprise (DBE) programs generally establish goals and objectives to increase the number of contracts awarded to DBE businesses. Through implementation of such a program, the County will ensure compliance with Title VI of the Civil Rights Act of 1964; Section 30 of the Airport and Airway Development Act of 1970, as amended; and Code of Federal Regulations (CFR) 49.26 requirements. This policy is adopted to ensure that owners of DBE businesses shall have the maximum opportunity to participate in County projects for which federal transportation funds are received.

Each local agency must implement a Disadvantaged Business Enterprise (DBE) Program and establish an annual DBE plan/goal prior to submitting a "Request for Authorization" to proceed with a federal-aid transportation project.

Chapter 9, "Civil Rights and Disadvantaged Business Enterprises" of CalTrans Local Assistance Procedures Manual shall be followed for implementation of the local DBE program.

### POLICY AMPLIFICATION

This policy shall apply to all agreements, contracts and purchase orders for public works, equipment, material, or professional services from firms or individuals engaged in "for profit" business activities paid for in whole or in part out of federal or state funds.

To the extent of any conflict between this policy and any requirements imposed by the federal or state as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.

### FUNCTIONS

Departments, offices, agencies and Board Governed Special Districts will maximize the opportunity for DBE businesses to compete for all County contracts, which involve the receipt of federal aid transportation funds.

The Department of Economic and Community Development, through the County Office of Small Business Development, shall be responsible to:

1. Review directly or through authorized department coordinators all County contracts that involve the receipt of federal transportation funds to assure compliance with this policy prior to Board of Supervisors' submission.
2. Develop and maintain County-wide procedures to assure the proper implementation of this policy.

3. Annually report to the County Administrative Officer in writing on the following information:
  - a. Provide data to the CAO to make recommendations to the Board of Supervisors.
  - b. Provide an analysis of the data presented to the CAO in written format on an annual basis.
  - c. Provide recommendations to the CAO as to the strengths and weaknesses of the previous year's program activity.
  - d. Provide recommended actions to continually improve the quality of the program.
  - e. The Director of the County Office of Small Business Development shall work in conjunction with the appropriate County Departments to establish specific goals and objectives for contracting of work or procurement for DBE businesses.

#### DEFINITIONS

Disadvantaged Business Enterprise shall mean a business that is certified under the requirements of the Code of Federal Regulations (CFR) Title 49 Part 26.

#### PROCEDURES MANUAL

A standard Operating Procedures (SOP) manual will provide for program implementation.

